

**CHAPTER 41****( HB 12 )**

AN ACT relating to evidence.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔Section 1. KRS 422.300 is amended to read as follows:

- (1) *As used in KRS 422.300 to 422.330, "state" has the same meaning as in KRS 421.360.*
- (2) Medical charts or records of any hospital licensed under *either* KRS 216B.105 *or a similar law of another state or the United States* that are susceptible to photostatic reproduction may be proved as to foundation, identity and authenticity without any preliminary testimony, by use of legible and durable copies, certified in the manner provided herein by the employee of the hospital charged with the responsibility of being custodian of the originals thereof. Said copies may be used in any trial, hearing, deposition or any other judicial or administrative action or proceeding, whether civil or criminal, in lieu of the original charts or records which, however, the hospital shall hold available during the pendency of the action or proceeding for inspection and comparison by the court, tribunal or hearing officer and by the parties and their attorneys of record.

**Signed by Governor March 16, 2011.**